

Notice of Allowability

Application No.

09/964,100

Examiner

Ljiljana (Lil) V. Ciric

Applicant(s)

OZAWA ET AL.

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 16 November 2004 and telephonic interview of 7 December 2004.
2. ☒ The allowed claim(s) is/are 9 and 16-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

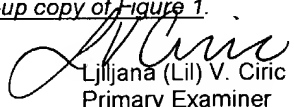
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12072004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12072004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other Marked-up copy of Figure 1.


Ljiljana (Lil) V. Ciric
Primary Examiner
Art Unit: 3753

EXAMINER'S AMENDMENT

1. Receipt and entry of the after-final amendment filed on November 16, 2004 is hereby acknowledged.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Michael J. Schmidt, Registration No. 34,007, on December 7, 2004.

3. The application has been amended as follows:

In the specification:

In the first line of the replacement paragraph beginning on line 7 of page 5: Immediately following "stays", insert --325--.

In the claims:

Claim 16, line 4: Delete the semi-colon (;) and "wherein" at the end of the line, and replace with a comma (,).

Claim 16, line 5: Delete "includes" and replace with --including--. Also, immediately preceding "adapted", delete "is" and replace with --being--.

Claim 16, line 11: Delete "includes" and replace with --including--.

Claim 16, line 12: Immediately preceding "a duct structure", insert --also including--. Immediately following "a duct structure", delete "for".

Claim 16, line 13: Delete "being" at the end of the line.

Claim 16, line 14: Delete "formed to enclose a circumference" and replace with --enclosing substantially the entire respective perimeter of each--.

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Claim 16, line 15: Delete "includes" and replace with --including--. Also, delete "disposed in" and replace with --extending into--.

Claim 16, line 20 : Delete "includes" and replace with --including--.

Claim 20, line 2: Immediately preceding "one of the", insert --at least--.

4. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Add reference character "325" corresponding to one of the stays in Figure 1. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric, whose telephone number is (571) 272-4909.

While she works a flexible schedule that varies from day to day and from week to week, Examiner Ciric may generally be reached at the Office during the work week between the hours of 10 a.m. and 6 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Mancene, can be reached at (571) 272-4930.

lvc

December 7, 2004


LJILJANA V. CIRIC
PRIMARY EXAMINER
ART UNIT 3753